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October 11, 1995

**ORIGINAL
FILE COPY**

HAND DELIVERY

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Betty Easley Conference Center
Room 110
Tallahassee, Florida 32399-0850

Re: Docket No. 950495-WS

Dear Ms. Bayo:

Enclosed herewith for filing in the above-referenced docket on behalf of Southern States Utilities, Inc. are the original and fifteen copies of Southern States Utilities, Inc.'s Fifth Motion for Temporary Protective Order.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely,

Bill Willingham for
Kenneth A. Hoffman

- ACK
- AFA 3
- APP
- CAF
- CMU
- CTR
- EAG
- LEG 1
- LIN 5
- OPC
- RCH
- SEC 1
- WAS *Willis*
- OTH

KAH/rl

cc: All Parties of Record

RECEIVED & FILED
Willis
RSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application by Southern)
States Utilities, Inc. for rate)
increase and increase in service)
availability charges for Orange-)
Osceola Utilities, Inc. in)
Osceola County, and in Bradford,)
Brevard, Charlotte, Citrus, Clay,)
Collier, Duval, Hernando, High-)
lands, Hillsborough, Lake, Lee,)
Marion, Martin, Nassau, Orange,)
Osceola, Pasco, Polk, Putnam,)
Seminole, St. Johns, St. Lucie)
Volusia and Washington Counties.)

Docket No. 950495-WS

Filed: October 11, 1995

**SSU'S FIFTH MOTION
FOR TEMPORARY PROTECTIVE ORDER**

Southern States Utilities, Inc. ("SSU"), pursuant to Rule 25-22.006, Florida Administrative Code, moves the Florida Public Service Commission for a Temporary Protective Order in this docket, and as grounds therefor, states as follows:

1. On July 18, 1995, the Office of Public Counsel ("OPC") served its First Set of Interrogatories to SSU.
2. On September 7, 1995, the OPC served its Third Set of Interrogatories to SSU.
3. On September 15, 1995, the OPC served its Sixth Set of Interrogatories to SSU.
4. SSU claims that all of the information responsive to OPC's Interrogatory No. 196, as well as the information responsive

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING 2537


to OPC Interrogatory No. 114 that pertains to Mr. Tracy Smith's salary, the information responsive to OPC Interrogatory No. 112 that pertains to salaries charged to account #4260 (Appendices 112-A and 112-B), the information responsive to OPC Interrogatory No. 68 that pertains to the salaries of certain Minnesota Power and Light Company employees (Appendix 68-A), and the information responsive to OPC Interrogatory No. 81 that pertains to compensation of the senior executives of Minnesota Power and Light Company (Appendix 81-A), is proprietary confidential business information, and is of a type this Commission has found in past dockets to be confidential. SSU believes that this information is within the scope of Section 367.156(3), Florida Statutes, and must be afforded protection as proprietary confidential business information.

5. By this Motion, SSU requests that the information and materials made available for inspection in response to OPC's First, Third and Sixth Sets of Interrogatories to SSU be granted the protection of a Temporary Protective Order as provided for by Rule 25-22.006(5)(c), Florida Administrative Code. This Temporary Protective Order will protect the materials and information from disclosure until OPC completes its review of the materials and information. Once the review is completed, OPC will notify SSU of

the materials and information it intends to use in this docket, and SSU, in accordance with Rule 25-22.006(5)(a), will request proprietary confidential treatment of those portions of the materials and information which are, in its opinion, entitled to such treatment. The remainder of any such materials and information which OPC has taken possession of pursuant to this Temporary Protective Order will be returned to SSU by OPC pursuant to Rule 25-22.006(5)(c).

WHEREFORE, SSU respectfully moves the Commission for a Temporary Protective Order covering the above described documents produced in response to the OPC Interrogatory Nos. 68, 81, 112, 114 and 196.

Respectfully submitted,


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and

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(407) 880-0058

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing SSU's Fifth Motion for Temporary Protective Order was furnished by hand-delivery (*) and/or U. S. Mail to the following on this 11th day of October, 1995:

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